

United States District Court, Northern District of Illinois

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| Name of Assigned Judge or Magistrate Judge | Wayne R. Andersen | Sitting Judge if Other than Assigned Judge | Maria Valdez |
| CASE NUMBER | 07 C 6176 | DATE | 8/27/2008 |
| CASE TITLE | Grooms et al vs. Tencza et al | | |

DOCKET ENTRY TEXT

Magistrate Judge Status hearing held on 8/27/08 and continued to 9/30/08 at 9:30 a.m. Plaintiffs make oral motion renewing their request to preserve the hard drive from United Road Services and the City of Chicago concerning the audio and videotapes at issue. Plaintiffs also make oral motion to compel United Road Services to provide a better quality video and audio tapes and to request audio and video of outside of building. The District Court having previously denied in part the preservation request [Doc. No. 72] and having previously ordered discovery from United Road Services [Doc. No. 57], this Court enters the following additional order concerning the audio and video tapes in the possession of United Road Services as shown on the “**STATEMENT**” below. City’s obligation to answer or otherwise plea is held in abeyance until plaintiffs determine whether they will amend the complaint. Plaintiffs’ unopposed request to stay discovery with the exception of this court’s order to United Road Services is granted until the next status hearing set for 9/30/08. The Plaintiffs’ motion for reconsideration shall be filed within ten (10) days of this order. Defendant will have ten (10) days to file any response.

■[For further details see text below.]

Docketing to mail notices.
*Copy to judge/magistrate judge.

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STATEMENT

Magistrate Judge Status hearing held on 8/27/08. Plaintiffs make oral motion renewing their request to preserve the hard drive from United Road Services and the City of Chicago concerning the audio and videotapes at issue. Plaintiffs also make oral motion to compel United Road Services to provide a better quality video and audio tapes and to request audio and video of outside of building.

The district court having previously denied in part the preservation request [Doc. No. 72] and having previously ordered discovery from United Road Services [Doc. No. 57], this Court enters the following additional order concerning the audio and video tapes in the possession of United Road Services:

This Court orders assistant general manager David Corcoran at United Road Services, 16325 South Crawford Avenue, Markham, Illinois 60428 to produce the best copies available of the recording of the incident at issue in the above captioned matter that occurred on November 20, 2007 sometime after 6:00 p.m. at the City of Chicago Auto Pound at 1030 South Doty Avenue, Chicago, Illinois. Production shall include any video and/or audio tapes for both the interior and exterior of the building. Copies should be provided to plaintiff Allisah Love, Post Office Box 4853, Chicago, Illinois 60680 and defense counsel Joel G. Sandoval, City of Chicago Law Department Corporation Counsel, 30 North LaSalle, Suite 1020, Chicago Illinois 60602.

Counsel for the City agrees to contact United Road Services to inquire about quality of audio and video tape previously produced and to determine whether audio and video exists for the outside of building. City’s

STATEMENT

obligation to answer or otherwise plea is held in abeyance until plaintiffs determine whether they will amend the complaint. Plaintiffs' unopposed request to stay discovery with the exception of this court's order to United Road Services is granted until the next status hearing set for 9/30/08.

Plaintiffs' make an oral request for reconsideration of the district court's order denying appointment of counsel [Doc. No. 58]. Plaintiffs may file a written motion for reconsideration. The motion of reconsideration must include what changed circumstances now exist that differs from the information originally provided to Judge Andersen in Plaintiffs' Motion for Appointment of Counsel [Doc. No. 49]. The motion should include any changed circumstances on the financial status of the plaintiffs and what attempts have been made to secure an attorney. The Plaintiffs' motion for reconsideration shall be filed within ten (10) days of this order. Defendant will have ten (10) days to file any response.

Status hearing set for 9/30/08 at 9:30 a.m.